

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
LUBBOCK DIVISION

LONNIE KADE WELSH,)
Plaintiff,)
v.)
CORRECT CARE RECOVERY)
SOLUTIONS, *et al.*,)
Defendants.) Civil Action No. 5:18-CV-020-C-BQ

ORDER

Before the Court is the Report and Recommendation of the United States Magistrate Judge (ECF No. 195) therein advising the Court that: (1) Welsh's motion to file supplemental evidence (ECF No. 182) should be denied; (2) Defendant Ross Hester's Motion to Strike (ECF No. 190) should be granted and Welsh's Sur-Reply (ECF No. 189) should be stricken; and (3) Defendant Hester's Motion for Summary Judgment on the issue of qualified immunity (ECF No. 173) should be granted. Plaintiff filed his Objections on October 17, 2022.

The Court conducts a *de novo* review of those portions of the Magistrate Judge's report or specified proposed findings or recommendations to which a timely objection is made. 28 U.S.C. § 636(b)(1)(C). Portions of the report or proposed findings or recommendations that are not the subject of a timely objection will be accepted by the Court unless they are clearly erroneous or contrary to law. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989).

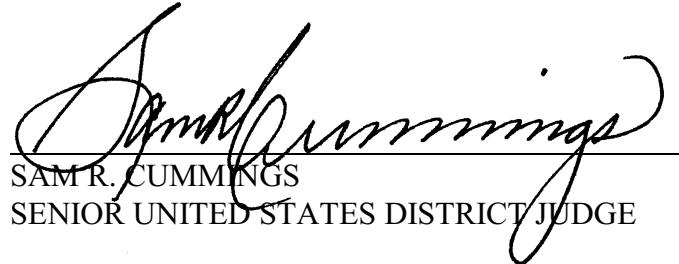
After due consideration and having conducted a *de novo* review, the Court finds that Petitioner's objections should be **OVERRULED**. The Court has further conducted an independent review of the Magistrate Judge's findings and conclusions and finds no error.

It is therefore **ORDERED** that the findings and conclusions contained in the Report and Recommendation are hereby **ADOPTED** as the findings and conclusions of the Court.

For the reasons stated therein, the Court **ORDERS** that: (1) Plaintiff's Motion to File Supplemental Evidence is **DENIED**; (2) Defendant Hester's Motion to Strike is **GRANTED** and Plaintiff's Sur-reply is **STRICKEN**; and (3) Defendant Hester's Motion for Summary Judgment on the Issue of Qualified Immunity is **GRANTED** and Plaintiff's claims against Defendant Hester in his individual capacity are **DISMISSED**.

SO ORDERED.

Dated October 18, 2022.



SAM R. CUMMINGS
SENIOR UNITED STATES DISTRICT JUDGE